

In the United States Court of Federal Claims

Plaintiff(s),

v.

THE UNITED STATES,

Defendant.

Case No. 18-830

Judge _____

COMPLAINT

U.S. COURT OF
FEDERAL CLAIMS

If you intend to proceed without the prepayment of filing fees (*in forma pauperis* (IFP)), pursuant to 28 U.S.C. § 1915, you must file along with your complaint an application to proceed IFP.

1. JURISDICTION. State the grounds for filing this case in the United States Court of Federal Claims. The United States Court of Federal Claims has limited jurisdiction (*see e.g.*, 28 U.S.C. §§ 1491-1509).

see attached

Received - USCEC

JUN 11 2018

2. PARTIES

Plaintiff, _____, resides at _____
(Street Address)

_____ → _____
(City, State, ZIP Code)

(Telephone Number)

If more than one plaintiff, provide the same information for each plaintiff below.

see attached compaint, exhibit 1 and certificate of service

RELATED CASES. Is this case directly related to any pending or previously filed cases in the United States Court of Federal Claims? Yes No

If yes, please list the case(s) below, including case number(s):

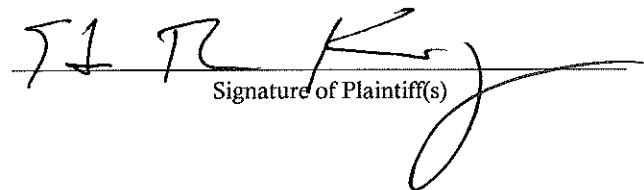
3. STATEMENT OF THE CLAIM. State as briefly as possible the facts of your case. Describe how the United States is involved. You must state exactly what the United States did, or failed to do, that has caused you to initiate this legal action. Be as specific as possible and use additional paper as necessary.

see attached

4. RELIEF. Briefly state exactly what you want the court to do for you.
see attached

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 6th day of June, 2018.
(day) (month) (year)


Signature of Plaintiff(s)

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

EDWARD THOMAS KENNEDY,

Plaintiff,

v.

Case No. _____

UNITED STATES OF AMERICA,

et al.,

Defendants,

Plaintiff's Original Complaint

1. Edward Thomas Kennedy, Plaintiff, hereinafter "Kennedy" is one of the people of Pennsylvania wishes this court of record provide him on his own behalf with ECF access to this and all cases at this court of record.

FIRST CAUSE OF ACTION – TRESPASS

PARTIES

2. Edward Thomas Kennedy, (hereinafter "Kennedy") is one of the people of Pennsylvania, and in this court of record on his own behalf complains of each of the following: United States of America, United States Government, Department of Defense, Joseph Francis Dunford, United States Postal Service, Megan Brennan, Thomas Marshall, Catriona M. Coppler, Commonwealth of Pennsylvania, The Unified Judicial System of Pennsylvania, Supreme Court of Pennsylvania, Borough of Frackville, Philip Carl Petrus, Mark Semanchik, Law Office of Mark Semanchik, Kim Y. Phillips, Paul Martin,

Thomas Westerman Wolf, Joshua David Shapiro, Thomas G. Saylor, Robert D. Castille, Michael Andrew O'Pake, Thomas Patrick Pellish, Christine Anne Holman, David G. Argall, Neal Patrick Goodman, Matthew Cartwright, Joseph G. Groody, Frank J. Staudenmeier, Karen L. Domalakes, Michael J. Stine, Rubright, Domalakes, County of Schuylkill, George Francis Halcovage, Gary Hess, Martin Heckman, Brian Tobin, County of Lehigh, Upper Macungie Township, Joseph N. Hanna, Martin Wayne Nothstein, Percy H. Dougherty, Phillips A. Armstrong, Robert Ibach, Edgardo A. Colon, Upper Macungie Township, Bar Association of Lehigh County, Schuylkill County Bar Association, Pennsylvania Bar Association, Stephen J. Marshall, James Bernard Martin, Patrick Joseph Toomey, Robert Evanchek, Bradley J. Getz, Tyree C. Blocker, Richard H. D'Ambrosia, Pennsylvania State Police, The Disciplinary Board of the Supreme Court of Pennsylvania,

¹ Maria Casey, David John Dutcavage, Raymond S. Wierciszewski, Alan J. Davis, Paul J. Killion, Paul J. Burgoyne, Glenn T. Roth, Department of the Treasury, Steven Terner Mnuchin, Thomas B. Darr and the Federal Reserve Bank of New York, hereinafter “Kidnapper”, and all collectively “Kidnappers”; who are each summoned to answer and declare under penalty of perjury the said in a plea of trespass, trespass on the case, trespass on the case - vicarious liability, and failure to provide a republican form of government, to wit:

INTRODUCTION

2. Each Kidnapper exceeded their jurisdiction by either directly, through an agent, or in concert with another did cause Kennedy to be unlawfully and forcibly carried

¹ Copy sent with reverent respect to Jesuit General at Wernersville, Pennsylvania

away and imprisoned² against his will, without jurisdiction or good cause. Said Kidnappers, without good cause, imprisoned Kennedy. During imprisonment the Kidnappers took further casual ill-considered actions to further imprison Kennedy for up to three days without trial or due process. Paraphrasing Senator John Kennedy, a Republican party member from Louisiana, Justice in Pennsylvania sucks.

3. From the moment he was taken away till the present, Kennedy, under color of law, was kept in actual or constructive imprisonment. Although he objected to the assumed jurisdiction, those who kept him imprisoned under color of law did not respond to any of his demands and requests for proof of jurisdiction or for reinstatement of his liberty. They continued to assume the jurisdiction without proof of jurisdiction or any attempt at proof of jurisdiction. Kennedy continues to be subject, under color of law, to the assumed jurisdiction, will and control of the Kidnappers.

4. Under color of law, Kennedy was subjected to pseudo-psychological evaluations at the County of Lehigh prison, Allentown, Pennsylvania on August 28, 2017 and the County of Schuylkill prison on August 30, 2017.

SPECIFICS

5. Each defendant acted in such a way, or failed to act in such a way, that Kennedy is deprived of his liberty. Each defendant acted to deprive claimant Kennedy of his liberty; or each defendant failed to act to prevent the loss by Kennedy of his liberty.

² Imprison: To confine a person or restrain his liberty in any way. Black's Law Dictionary, 5th Edition
 Imprisonment: ...it may be in a locality used only for the specific occasion; or it may take place without the actual application of any physical agencies of restraint (such as locks or bars), as by verbal compulsion and the display of available force. Black's Law Dictionary, 5th Edition.

Further, each defendant is a willing participant in concert with each of the remaining defendants.

6. At all times mentioned in this action each defendant is the agent of the other, and in doing the acts alleged in this action, each is acting within the course and scope of said agency. The following paragraphs describe what the Kidnappers, under color of law, either acted or failed to act as obligated.

7. Each defendant exceeded his jurisdiction under color of law. Each defendant acted in concert with the remaining defendants to affect the unlawful loss of liberty of Kennedy.

8. County of Schuylkill prison is at 230 Sanderson Street, Pottsville, PA 17901. Schuylkill County Courthouse is at 401 North Second Street, Pottsville, PA 17901. County of Lehigh prison is at 38 North Fourth Street, Allentown, PA 18102.

9. At no time has Kennedy ever entered a voluntary plea.

10. With a one page letter signed by M Judith Johnston, County of Lehigh employee, Johnston provided Kennedy with a false and/or fake, one page Bench Warrant signed by William E. Baldwin, the President Judge.

11. On January 10, 2018, Thomas Patrick Pellish provided Kennedy with signed, official records of Borough of Frackville and Philip Carl Petrus, who lied under oath in documents and records provided by Pellish to Kennedy in multiple fake criminal prosecutions against Kennedy.

12. On June 2, 2017 between 2PM and 3PM local time at 401 Tillage Rd., Breinigsville, PA 18031, Kidnappers Getz, D'Ambrosia, Colon, Hanna and Marshall

threatened to kill Kennedy with firearms and/or weapons³ under color of law, and were overheard stating that they came to kill another Kennedy.

13. On August 28, 2017 at the Target store parking lot at 749 N Klocks Road, Allentown, PA 18106 at 10am, Kidnappers used excessive force and transported Kennedy in handcuffs and chains to the County of Lehigh prison.⁴

14. On August 28, 2017 to August 30, 2017 inclusive at and in the County of Lehigh prison and County of Schuylkill prison, Kennedy was injured by the Kidnappers.

15. On August 28, 2017 Kennedy was stripped naked, given a rectal exam, forced to wear prison clothes, given physical and mental exams and caged in solitary confinement conditions⁵ based on the color of law.

16. On August 30, 2017, Kidnapper Heckman transported Kennedy to County of Schuylkill prison under color of law injuring the Plaintiff as described herein.

17. On August 30, 2017, Heckman and Tobin injured Kennedy with extreme deadly force. Kennedy was again stripped naked, given a second rectal exam, forced again to wear prison clothes, again given physical and mental exams and again caged in solitary confinement like conditions based on the color of law. Solitary confinement “drives men mad,” Justice Anthony McLeod Kennedy said in 2015.

18. On August 30, 2017, Kennedy was involuntarily brought before a court not of record and not a nisi prius court. Kennedy objected to the jurisdiction of the court to

³ Training and weapons were provided by Defendant Department of Defense and Defendant Joseph Francis Dunford.

⁴ Tracking Technology provided to the Kidnappers by Defendant Department of Defense.

⁵ “Solitary confinement makes men mad,” Anthony McLeod Kennedy.

James Goodman, Judge and later objected to the jurisdiction of the same court on to separate day and occasion to Charles Miller, also a Judge.

19. Defendants Saylor, Davis, Holman, O'Pake, Pellish, Evanchick and other Kidnappers without proof of jurisdiction, each ignored Kennedy's objections, and proceeded under color of law to continue his constructive imprisonment.

20. Because of the actions committed with actual and implied force or the lack of action of the defendants, Kennedy was immediately and directly injured and suffered loss of liberty, and imprisoned under color of law.

21. Defendants have a duty to not cause Kennedy to be imprisoned under color of law, to not cause loss of liberty. Further, defendants have a duty to prove jurisdiction when objection to jurisdiction is asserted.

22. Defendants have breached that duty.

23. The damages for the injury caused by defendants' actions are \$50,000 for each day of unlawful imprisonment for each defendant.

24. The damages for the injury caused by defendant's' absence of required action is \$5,000 for each failure to act.

SECOND CAUSE OF ACTION – TRESPASS ON THE CASE

25. Paragraphs 1 through 24 are included by reference as though fully stated herein.

26. By right, Kennedy reasonably expects to proceed without injury, secure in his capacities. By right, Kennedy reasonably expects to exercise his right to liberty.

27. Defendants have a legal duty to use due care and not cause an injury to Plaintiff or interfere with said rights in any way.

28. Defendants breached that duty by proximately or legally, directly and indirectly, causing the injuries to Plaintiff Kennedy.

29. The damages claimed are all a result of the injuries.

THIRD CAUSE OF ACTION – TRESPASS ON THE CASE -VICARIOUS LIABILITY

30. Paragraphs 1 through 29 are included by reference as though fully stated herein.

31. Power is never without responsibility. And when authority derives in part from Government's thumb on the scales, the exercise of that power by private persons becomes closely akin, in some respects, to its exercise by Government itself.

32. The purpose of imposing vicarious liability is to insure the costs of injuries resulting from defective actions are placed on the source of the actions and others who make the actions possible rather than on injured persons who are powerless to protect themselves.

33. For a defendant to be vicariously liable it must play an integral and vital part in the overall production and promotion activity so that the actor is in a position to affect others or, at the very least, it must provide a link in the chain of exposing the ultimate victim to the actor.

34. The vicariously liable defendant must be in the business of controlling, leasing, bailing, or licensing the actors. Each defendant is an agent of the other, and each

has his place in the chain of exposing Plaintiff Kennedy to the actors. Each defendant is vicariously liable for each instance of injury to plaintiff.

FOURTH CAUSE OF ACTION – FAILURE TO PROVIDE A REPUBLICAN FORM OF GOVERNMENT

35. Paragraphs 1 through 34 are included by reference as though fully stated herein.

36. Kennedy wishes defendants to not breach their fiduciary duty to Kennedy. Kennedy wishes defendants to not breach their oaths of offices and especially "Attorneys at law" and their private member associations and their published advertisements in newspapers and on the public internet.

37. The Constitution guarantees to every state a Republican form of government (Art. 4, Sec. 4). No state may join the United States unless it is a Republic.

38. Our Republic is one dedicated to "liberty and justice for all." Minority individual rights are the priority.

39. The people have natural rights instead of civil rights. The people are protected by the Bill of Rights from the majority. One vote in a jury can stop all of the majority from depriving any one of the people of his rights; this would not be so if the United States were a democracy.

40. The business model of defendants is based on a foundation of deceptions, lies and fraud, especially the United States Postal Service, Commonwealth of

Pennsylvania, Pennsylvania Bar Association, Schuylkill County Bar Association and The Disciplinary Board of the Supreme Court of Pennsylvania.⁶

41. The damages claimed are all a result of the injuries.

LAW OF THE CASE

42. Through the courts, Kennedy encourages the Government and its employees to obey the law. Statutes and codes shall be the rules of decision as long as they are not in conflict with the common law.⁷

43. In a court of record, a judge has no discretion. Discretion is reserved to the independent tribunal. When the word "law" is used without qualification, it means common law.

44. Exhibit "1" is incorporated by reference as though fully stated herein.

REQUEST FOR RELIEF

45. For that cause of action therefore Plaintiff Kennedy brings his suit.

46. WHEREFORE, Kennedy wishes the Judge assigned to this case administrate judgment against Kidnappers, and each of them, as follows:

On all causes of action:

47. For general damages in the sum of \$50,000 multiplied by the number of days in constructive and actual imprisonment per defendant or One hundred fifty million dollars (\$150,000,000.00), whichever is greater.

48. For the damages for the injury caused by defendant's' absence of required

⁶ There is no legislative foundation for Attorneys at Law and their private member associations to practice law. [Similarly the (no name) Bar on Bridgeway in downtown Sausalito, California also has no legislative foundation to practice law.]

⁷ See the use of dictionaries by the Supreme Court of the United States, by Kevin Werbach, titled Looking It Up: The Supreme Court's Use of Dictionaries in Statutory and Constitutional Interpretation (1994), and Opinions of Anthony McLeod Kennedy, the Senior Associate Justice of the Supreme Court of the United States.

action \$10,000 for each failure to act times 4000 failures to act; or ten million dollars (\$40,000,001) whichever is greater;

49. For an Order to remove all data and privacy violations and false advertisement by the Kidnappers from the Kennedy name nunc pro tunc;

50. For an Order to restore Kennedy's good standing, simply stated expunge the records in the The Unified Judicial System of Pennsylvania and Commonwealth of Pennsylvania records;

51. That the court enter a declaratory judgment that Kidnappers have acted arbitrarily and capriciously, have abused their discretion and have acted not in accordance with law, but under color of law;

52. That the court enter a declaratory judgment that Kidnappers' actions were in excess of statutory jurisdiction, authority and short of statutory right;

53. That the court permanently enjoin Kidnappers from interfering in any way with Kennedy's lawful rights and provide him with a republican form of government;

54. That the court permanently enjoin Kidnappers from interfering in any way with Kennedy's lawful rights, honor their fiduciary duty to Kennedy, net out all alleged "debt" to zero, remove all liens, all fines and return all funds stolen from Kennedy to Kennedy nunc pro tunc;

55. That the court enter a declaratory judgment that the records of the court not of record are impeached for want of jurisdiction in the Unified Judicial System of Pennsylvania, its Courts or judicial officers, for collusion between the parties, and/or for fraud in the parties offering the record, in respect to the proceedings;

56. That the court grant Kennedy his attorneys fees;
57. That the court grant Kennedy such, other and further relief as the court deems proper;
58. That the court order all the Kidnappers to return the value of all bonds created in all these matters in three cases;
59. That the court order the Federal Reserve Bank of New York to stop buying Commonwealth of Pennsylvania and Unified judicial System of Pennsylvania bonds;
60. That the court order Defendant Saylor not to be stripped naked, not be given a rectal exam, or be forced to wear prison clothes, but be given physical and mental exams for dementia and/or senility and not caged in solitary confinement conditions;
61. For interest as allowed by law; and
62. For costs of suit incurred.

June 6, 2018, County of Lehigh, Pennsylvania.

Edward Thomas Kennedy

SEAL

Edward Thomas Kennedy
401 Tillage Road
Breinigsville, Pennsylvania
Emails: kennedy12@pm.me
Telephone: 415-275-1244
Fax: 570-609-1810.

CERTIFICATE OF SERVICE⁸

I hereby certify that on June 6, 2018 that I filed a copy of the Plaintiff's Original Complaint and Exhibit 1 Law of the Case by United States Postal Service (USPS) regular mail at the office of the Clerk of Court at United States Court of Federal Claims at Howard T. Markey National Courts Building, 717 Madison Place, N.W., Washington, DC 20439 and served by US regular mail, email and/or fax numbers as indicated herein to the following:

Notice to principal is notice to agent; notice to agent is notice to principal.

For the United States, United States of America and the United States Government
Charles W. Scharf, CEO
BNY Mellon
225 Liberty Street
New York, NY 10286
United States
Fax: 212-635-1799

John C. Williams, Chief Executive Office
Federal Reserve Bank of New York
33 Liberty Street
New York, NY 10045

Notice to principal is notice to agent; notice to agent is notice to principal.

For the United States, United States of America, the United States Government,
the Department of Defense, and the Department of the Treasury to

Jefferson Beauregard Sessions, Attorney General
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
Fax number 202-514-6866.

Catriona M. Coppler

⁸ Common Law Service of process.

US Department of Justice
Post Office Box 227
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1400 Defense Pentagon
Washington, DC 20301-1400

Joseph Francis Dunford
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For all Commonwealth of Pennsylvania employees and agents

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Commonwealth of Pennsylvania Office of the Secretary
302 North Office Building
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Sent by fax number 717-787-1734

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Notice to principal is notice to agent; notice to agent is notice to principal.
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County of Lehigh
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Paul Martin

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Mark Semanchik, Solicitor
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Sent by fax to: 570-874-4034

Law Office of Mark Semanchik
44 N Balliet Street
Frackville, PA 17931-1302
Sent by fax to: 570-874-4034

Date: June 6, 2018

In Memoriam
Robert Francis "Bobby" Kennedy
non morietur quia dilexit vos

Edward Thomas Kennedy

SEAL

Edward Thomas Kennedy

Notice:

to Samuel Anthony Alito, Associate Justice of the Supreme Court of the United States, 1 First Street NE, Washington, DC 20543,
forthcoming.

Notice:

served to Anthony McLeod Kennedy, Associate Justice of the Supreme Court of the United States, 1 First Street NE, Washington, DC 20543,
forthcoming.